

③ Conway  
007235

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Official Records of  
Faulkner County  
SHARON RIMMER  
FAULKNER COUNTY CIRCUIT CLERK  
Fees \$14.00  
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by           D. C.

ORDINANCE NO. 0-06-25

**AN ORDINANCE PROVIDING FOR THE ADOPTION OF THE REVERSE INTERNET AUCTION OPTION FOR THE PURCHASE OF GOODS AND SERVICES AND FOR OTHER PURPOSES.**

**WHEREAS**, Act 1957 of 2005, codified as Arkansas Code Annotated section 14-58-303(c), provides that cities and towns of the State of Arkansas shall have the option to make purchases by participation in a reverse Internet auction; and

**WHEREAS**, the Act requires that a city or town wishing to implement reverse Internet auctions must enact an ordinance authorizing same; and

**WHEREAS**, the Act forbids the use of reverse Internet auctions for purchases and contracts for construction projects and materials; and

**WHEREAS**, the City Council of the City of Conway finds that the use of Internet reverse auctions will result in significant savings in the expenditure of public funds and is therefore in the public interest;

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, THAT:**

**SECTION 1:** For purposes of this ordinance

- (a) "Reverse Internet auction" means an Internet-based process in which bidders:
  - (1) Are given specifications for items and services being sought for purchase by a municipality; and
  - (2) Bid against themselves in order to lower the price of the item or service to the lowest possible level; and

(b) "Reverse Internet auction vendor" means an Internet-based entity that hosts a reverse Internet auction.

**SECTION 2:** A reverse Internet auction as contemplated by this ordinance shall not be used for purchases and contracts for construction projects and materials.

**SECTION 3:** bidders shall be provided instructions and individually secured passwords for access to the reverse Internet auction by either the City or reverse Internet auction vendor.

**SECTION 4:** the bidding process shall be timed, and the time shall be part of the reverse Internet auction specifications.

**SECTION 5:** the reverse Internet auction shall be held at a specific date and time.

**SECTION 6:** the reverse Internet auction and bidding process shall be interactive with each bidder able to make multiple bids during the allotted time.

**SECTION 7:** each bidder shall be continually signaled his or her relative position in the bidding process.

**SECTION 8:** bidders shall remain anonymous and shall not have access to other bidders or bids.

**SECTION 9:** the City of Conway shall have access to real-time data including all bids and bid amounts.

**SECTION 10:** the City Council of the City of Conway may create by an additional ordinance reverse Internet auction specifications for the anticipated purchase of a specific item or purchase.

**SECTION 11:** The fee may be included as part of the bids received during the reverse Internet auction and paid by the winning bidder.

**SECTION 12:** The City Council of the City of Conway retains the right to refuse all bids made during the reverse Internet auction.

**SECTION 13:** The City Council of the City of Conway retains the right to begin the reverse Internet auction process anew if Council determines it is in the best interest of the City of Conway.

**SECTION 15:** All ordinances in conflict herewith are repealed to the extent to the conflict.

**PASSED** this 28<sup>th</sup> day of February, 2006.

**APPROVED:**

  
\_\_\_\_\_  
**Mayor Tab Townsell**

**ATTEST:**

  
\_\_\_\_\_  
**Michael O. Garrett**  
**City Clerk/Treasurer**

**CERTIFICATE**

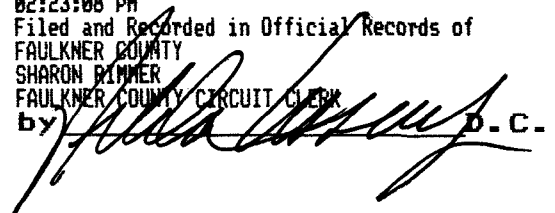
**STATE OF ARKANSAS  
COUNTY OF FAULKNER  
CITY OF CONWAY**

I, Michael Garrett, the duly elected, qualified, and acting: Clerk-Treasurer of the City of Conway, Arkansas, do hereby certify that the attached and foregoing is a true and correct copy of ordinance presented to the City Council of the City of Conway, Arkansas, at a meeting of that body held on the 28<sup>th</sup> day of February 2006, same is duly recorded in the minutes of meeting of said Council.

Witness, my hand and seal of the City of Conway, Arkansas, this 17<sup>th</sup> day of February 2006.

  
CITY CLERK-TREASURER

Seal

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